

STATE OF TENNESSEE

112th General Assembly

HOUSE OF REPRESENTATIVES

Covid-19 Committee of Extraordinary Session III

Thursday, October 28, 2021 - HHR I - 11:00 AM

Farmer, Chair; Grills, Vice-Chair;

Carr, Carringer, Cooper, Darby, Eldridge, Faison, Hall, Hodges, Howell, Hulsey, Johnson C, Lamberth, Potts, Rudder, Sherrell, Thompson, Todd, Warner, Zachary

1. [HB 9077](#) ***Sexton C, Zachary, Campbell S, Williams, Cochran, Moody, Grills, Hall** (SB 9014 by *McNally, Johnson)

Unemployment Compensation - As introduced, allows a former employee to receive unemployment benefits if the employee's separation from employment was due to his or her refusal to receive a COVID-19 vaccination. - Amends TCA Title 9; Title 14; Title 29; Title 38; Title 49; Title 50; Title 63 and Title 68.

2. [HB 9078](#) ***Sexton C, Zachary, Griffey, Hulsey, Campbell S, Todd, Williams** (SB 9015 by *McNally, Johnson)

Health Care - As introduced, prohibits a person, private business, or state or local governmental official, entity, department, or agency from compelling proof of vaccination for COVID-19; prohibits an employer from taking an adverse action against an employee, or from failing to hire an applicant, based solely on the employee's or applicant's refusal to provide proof of vaccination for COVID-19. -

3. [HJR 9005](#) ***Sexton C, Ragan, Williams**

General Assembly, Statement of Intent or Position - Addresses the federal government's penalizing, or taxation of, citizens of this State through enforcement of restrictions relative to COVID-19 by supporting the challenging, condemning, and nullifying of such action. -

4. [HB 9033](#) ***Garrett** (SB 9051 by *Bell)

Employees, Employers - As introduced, creates a private right of action for an employee who suffers injury as a result of receiving a COVID-19 vaccination if the employee receives the vaccination because of an employment requirement established by the employer; allows the court to award damages including medical expenses, lost wages, and reasonable attorney's fees. - Amends TCA Title 49.

5. [HB 9044](#) ***Ragan, Griffey, Weaver, Moody, Todd, Rudd** (SB 9067 by *Bowling)

Public Health - As introduced, prohibits the governor, an agency, a political subdivision, or a state-funded organization from mandating or coercing an applicant for employment, employee, or other person to wear a face covering that has not been prescribed by a licensed physician; includes exceptions for safety equipment, military gear, and penal institutions. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 10; Title 11; Title 12; Title 41; Title 49; Title 50; Title 58 and Title 68.

6. [HB 9048](#) ***Ragan, Griffey, Weaver, Moody, Todd, Rudd** (SB 9040 by *Pody)
Employees, Employers - As introduced, establishes circumstances under which an employer is liable for injuries sustained by an employee as a result of the employer's vaccination or immunization mandate as a condition of employment. - Amends TCA Title 29; Title 50, Chapter 1 and Title 50, Chapter 6.
7. [HB 9050](#) ***Ragan, Weaver, Moody, Todd, Rudd** (SB 9081 by *Hensley)
Employees, Employers - As introduced, specifies that an employee can satisfy an employer's COVID-19 vaccination mandate by providing documentation of a complete immunization to COVID-19 or alternative documentation showing the presence of antibodies or proof of a past COVID-19 infection; establishes a cause of action against an employer that takes adverse action against an employee attempting to provide such documentation. - Amends TCA Title 50, Chapter 1.
8. [HB 9051](#) ***Ragan, Weaver, Moody, Todd, Rudd** (SB 9029 by *Pody)
Employees, Employers - As introduced, clarifies that the term "discharge" includes placing an employee on involuntary unpaid leave or unpaid leave of absence without expectation of return; specifies that placing an employee on involuntary unpaid leave or an unpaid leave of absence is not a reasonable accommodation to an employee's request for an exemption from a requirement to obtain vaccination or immunization from COVID-19 for religious or medical reasons. - Amends TCA Title 4, Chapter 21, Part 4.
9. [HB 9053](#) ***Ragan** (SB 9065 by *Roberts)
Administrative Procedure (UAPA) - As introduced, schedules a rule filed by the department of labor and workforce development regarding the occupational safety and health standards COVID-19 emergency temporary rule to expire on the effective date of this act. -
10. [HB 9001](#) ***Cepicky** (SB 9004 by *Hensley)
Workers Compensation - As introduced, applies liability for side effects of a COVID-19 vaccination to an employer or private institution of higher education that requires the vaccination for employment or enrollment; amends the Tennessee COVID-19 Recovery Act's definition of "arising from COVID-19" to exclude vaccinations for COVID-19. - Amends TCA Title 9, Chapter 8, Part 3; Title 29, Chapter 34; Title 29, Chapter 20; Title 49 and Title 50, Chapter 6.
11. [HB 9006](#) ***Cepicky** (SB 9074 by *Hensley)
Public Health - As introduced, prohibits discrimination based on a person's COVID-19 vaccination status or whether the person has a COVID-19 immunity passport; prohibits a person from being required to receive a COVID-19 vaccine that is allowed under emergency use authorization or that is undergoing safety trials. - Amends TCA Title 4, Chapter 21; Title 33; Title 37; Title 49; Title 50; Title 63; Title 68 and Title 71.
12. [HB 9007](#) ***Cepicky, Moody, Ragan, Hurt, Hall, Weaver** (SB 9076 by *Hensley)
Public Health - As introduced, prohibits LEAs, charter schools, and public institutions of higher education from developing and implementing contact

tracing procedures for COVID-19. - Amends TCA Title 4; Title 37; Title 49; Title 68 and Title 71.

13. [HB 9017](#) *Rudd (SB 9045 by *Bowling)

State Government - As introduced, prohibits the state from awarding a state contract, providing a tax incentive, or making a grant of funds to an employer in this state if the employer requires its employees to receive a COVID-19 vaccination; excludes from the prohibition the award of a state contract if the contractor is a single source of supply for a good or service or the contractor provides a proprietary good or service. - Amends TCA Title 4 and Title 50.

14. [HB 9052](#) *Rudd (SB 9073 by *Bowling)

Human Rights - As introduced, prohibits discrimination based on a person's vaccination status for COVID-19 or possession of an immunity passport evidencing immunity from COVID-19. - Amends TCA Title 4, Chapter 21; Title 50; Title 58, Chapter 2 and Title 68.

15. [HB 9009](#) *Doggett (SB 9041 by *Pody)

Public Funds and Financing - As introduced, prohibits state funds from being appropriated or disbursed to or expended by a public or private entity that implements a COVID-19 vaccination or mask-wearing requirement as a condition of entry; requires the department of finance and administration to recoup state funds previously appropriated or disbursed to a public or private entity that has implemented such a requirement. - Amends TCA Title 4; Title 9, Chapter 1 and Title 9, Chapter 4, Part 51.

16. [HB 9010](#) *Doggett (SB 9042 by *Pody)

Students - As introduced, prohibits K-12 schools that receive state funds from requiring students to be immunized against COVID-19 and from segregating students based on their COVID-19 immunization status. - Amends TCA Title 49.

17. [HB 9025](#) *Moody (SB 9019 by *Pody)

Hospitals and Health Care Facilities - As introduced, enacts the "No Patient Left Alone Act." - Amends TCA Title 33; Title 56; Title 63; Title 68 and Title 71.

18. [HB 9003](#) *Hulsey (SB 9002 by *Niceley)

Employees, Employers - As introduced, prohibits public employers from mandating COVID-19 vaccines as a condition of employment; requires private employers to document certain information regarding COVID-19 vaccine mandates for employees; imputes strict liability against private employers who mandate COVID-19 vaccines for employees if an employee has a severe adverse reaction or develops a severe health condition as the result of being vaccinated. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 29; Title 50 and Title 68.

19. [HB 9023](#) *Hulsey, Weaver, Moody (SB 9064 by *Bowling)

Public Health - As introduced, enacts the "COVID-19 Health Care Liberty Jurisdiction Act." - Amends TCA Title 29, Chapter 26; Title 50, Chapter 6; Title 53, Chapter 1 and Title 68.

20. [HB 9011](#) *Ogles (SB 9036 by *Pody)
Human Rights - As introduced, creates a private cause of action for any person who suffers an adverse action by another due to the person's religious objection to receiving the COVID-19 vaccine. - Amends TCA Title 4, Chapter 21 and Title 68.
21. [HB 9012](#) *Ogles (SB 9026 by *Pody)
Human Rights - As introduced, requires a person or entity that requires COVID-19 vaccination or proof of COVID-19 vaccination except in cases of religious exemption to include in the religious exemption any person who is a member of a recognized religious sect or division and is an adherent of established tenets or teachers of such sect or division by reason of which the person is conscientiously opposed to receiving a COVID-19 vaccination. - Amends TCA Title 4; Title 29 and Title 68.
22. [HB 9013](#) *Ogles (SB 9078 by *Hensley)
Health Care - As introduced, prohibits a healthcare practitioner from providing a minor patient an immunization, vaccination, or injection for the SARS-CoV-2 virus or a variant of the SARS-CoV-2 virus without consent from the minor's legal guardians; requires licensing boards to report violations and promulgate emergency rules to effectuate this bill. - Amends TCA Title 4; Title 8; Title 37; Title 39; Title 49; Title 56; Title 63; Title 68 and Title 71.
23. [HB 9055](#) *Ogles (SB 9082 by *Hensley)
Criminal Offenses - As introduced, expands the offense of civil rights intimidation to create a Class D felony, punishable by a fine not to exceed \$5,000, for taking adverse action against an employee who has expressly objected to the COVID-19 vaccination based upon the employee's religious beliefs, creed, or conscience, with the intent to unlawfully intimidate or force the employee to obtain a COVID-19 vaccination. - Amends TCA Title 39, Chapter 17, Part 3.
24. [HB 9020](#) *Todd (SB 9053 by *Rose)
Health Care - As introduced, enacts the "Tennessee COVID-19 Treatment Freedom Act"; prohibits the board of medical examiners and board of osteopathic examination from disciplining a licensed physician relating solely to the physician's prescription, recommendation, use, or opinion relative to a treatment for COVID-19. - Amends TCA Title 4, Chapter 5; Title 33; Title 50; Title 63 and Title 68.
25. [HB 9035](#) *Casada (SB 9077 by *Hensley)
Health Care - As introduced, enacts the "Freedom in Medical Treatment Act"; prohibits licensing boards from taking adverse action against a healthcare professional licensed by the board relating solely to the healthcare professional's prescription, recommendation, use, or opinion relative to a treatment for COVID-19. - Amends TCA Title 4, Chapter 5; Title 33; Title 63; Title 68 and Title 71.
26. [HB 9036](#) *Casada (SB 9028 by *Pody)
Corporations, For Profit - As introduced, prohibits a publicly traded corporation that operates in this state from requiring customers to provide any documentation certifying COVID-19 vaccination or post-infection recovery to gain access to, entry upon, or service from the corporation's

operations in this state; exempts hospitals and other health facilities; requires the department of commerce and insurance to impose a \$5,000 civil penalty for a violation. - Amends amend TCA.

27. [HB 9062](#) *Lynn, Ragan, Ogles (SB 9061 by *Niceley)

Human Rights - As introduced, makes it a discriminatory practice under the Tennessee Human Rights Act to discriminate in provision of a public accommodation based on a person's COVID-19 immunity status; makes violations subject to present statutory remedies including administrative action and civil litigation. - Amends TCA Title 4, Chapter 21; Title 50; Title 63 and Title 68.

28. [HB 9063](#) *Lynn, Ragan, Ogles (SB 9060 by *Niceley)

Employees, Employers - As introduced, prohibits a private employer from requiring an individual to be subjected to a COVID-19 vaccination if the individual has contracted and recovered from it; holds a private employer liable for certain costs if the employer requires an individual to be subjected to a COVID-19 vaccination and if the individual suffers serious bodily injury or death as a result. - Amends TCA Title 4; Title 29; Title 50; Title 56 and Title 68.

29. [HB 9064](#) *Lynn, Ragan (SB 9059 by *Niceley)

Human Rights - As introduced, states that an individual may claim an exemption from a COVID-19 vaccination requirement based on acquired immunity through post-transmission recovery, a medical condition, or reasons of conscience; permits an employee whose employer does not accept such exemptions to file a complaint for a discriminatory employment practice. - Amends TCA Title 4; Title 49; Title 50; Title 63; Title 68 and Title 71.

30. [HB 9037](#) *Warner (SB 9035 by *Pody)

Health Care - As introduced, enacts the "COVID-19 Patients' Rights Act." - Amends TCA Title 8; Title 29; Title 33; Title 34; Title 56; Title 63; Title 68 and Title 71.

31. [HB 9059](#) *Warner (SB 9085 by *Pody)

State Government - As introduced, prohibits this state or its political subdivisions from taking certain actions in response to the COVID-19 pandemic. - Amends TCA Title 4, Chapter 1; Title 5, Chapter 1; Title 6, Chapter 54 and Title 8.

32. [HB 9040](#) *Griffey, Ragan, Moody, Todd, Rudd (SB 9031 by *Pody)

Criminal Offenses - As introduced, creates the offense of requiring another to wear a mask for the purpose of preventing the spread of COVID-19 as condition of employment or in order to enter any building, facility, or property that is generally open to the public. - Amends TCA Title 29 and Title 39.

33. [HB 9041](#) *Griffey, Ragan, Moody, Todd, Rudd (SB 9032 by *Pody)

Criminal Offenses - As introduced, creates an offense of requiring another to receive a COVID-19 vaccination or provide proof that the person has received a COVID-19 vaccination as condition of employment or in order to enter any building, facility, or property that is generally open to the public. - Amends TCA Title 29; Title 39 and Title 58.

34. [HB 9046](#) *Griffey (SB 9034 by *Pody)
Remedies and Special Proceedings - As introduced, enacts the "Stop Medical and Employer Required Tyranny Act." - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 29; Title 49 and Title 68.
35. [HB 9054](#) *Griffey (SB 9016 by *Pody)
Education - As introduced, establishes a uniform standard regarding quarantining and testing for COVID-19 for students, teachers, or personnel in public schools who are exposed to a person who tests positive for COVID-19. - Amends TCA Title 49; Title 58, Chapter 2 and Title 68, Chapter 1, Part 2.
36. [HB 9016](#) *Lamar (SB 9046 by *Gilmore, Akbari)
Employees, Employers - As introduced, authorizes private employers to adopt dress codes for employment and service that require employees and persons on the employer's business premises to wear a mask to protect against COVID-19; provides immunity to private employers who implement and reasonably enforce such dress codes. - Amends TCA Title 29 and Title 50.
37. [HB 9031](#) *Lamar, Beck, Ramsey, Parkinson, Chism, Shaw, Miller, Love, Johnson G, McKenzie, Mannis, Camper, Dixie, Powell, Jernigan, Hakeem, Towns, Thompson (SB 9047 by *Gilmore, Akbari)
Hospitals and Health Care Facilities - As introduced, prohibits a hospital or other licensed facility from restricting a pregnant patient from having a doula present with the patient during the stay in the hospital or facility as long as the doula tests negative for COVID-19 and is not exhibiting symptoms of COVID-19 or another virus or communicable disease. - Amends TCA Title 4; Title 29; Title 33; Title 56; Title 63; Title 68 and Title 71.
38. [HB 9058](#) *Lamar, Beck, McKenzie, Harris, Shaw, Miller, Hakeem, Love, Johnson G, Camper, Dixie, Powell, Jernigan, Towns, Thompson (SB 9057 by *Akbari)
Local Education Agencies - As introduced, prohibits the state from withholding or reducing state funding to an LEA due to the LEA implementing COVID-19 health and safety protocols. - Amends TCA Title 4; Title 9 and Title 49.
39. [HB 9065](#) *Lamar, Beck, McKenzie, Harris, Shaw, Miller, Hakeem, Love, Johnson G, Camper, Dixie, Powell, Towns, Jernigan, Thompson (SB 9058 by *Akbari)
Local Education Agencies - As introduced, affirms the ability of an LEA to establish uniform standards and implementation of COVID-19 health and safety protocols; provides immunity to an LEA and certain officials from civil actions regarding the establishment and implementation of such standards and protocols made in good faith. - Amends TCA Title 4; Title 9 and Title 49.
40. [HB 9030](#) *Hardaway (SB 9048 by *Gilmore)
Teachers, Principals and School Personnel - As introduced, authorizes up to 10 days of paid COVID-19 sick leave to full-time and part-time public school employees; requires the department of education to amend their

federal plan to include COVID-19 paid sick leave for early childhood program employees. - Amends TCA Title 49.

41. [HB 9056](#) *Hardaway (SB 9049 by *Gilmore)

Teachers, Principals and School Personnel - As introduced, authorizes up to 10 days of paid COVID-19 sick leave for full-time and part-time public school employees, including employees caring for a family member who has COVID-19 or who live with a person who has COVID-19; requires the department of education to amend its federal plan to include COVID-19 paid sick leave for early childhood program employees. - Amends TCA Title 49.